÷i,	T.D.	INFORM	AL MEMO: DO	NOT MAIL THIS	5 МЕМО Т	O APPLICA	NT	
Date:			24-Jul-08	APPL. S. N:		10080156	  -	
То Еха	miner:		ELALLAM, AHMED	Art Unit		2616	į ·	
From			Jefferson, Henry PARALEGAL SPCECIAL	Return This Mem IST Drop-Off Locatio		JEF-2D68		
SUBJE	CT: Decis	ion on Termina	al Disclaimer(T.D.) filed:					
form pa or have	aragraphs e any ques	identified by t stions, please s	his informal memo in yo see me or the Special Pr	ith the results as set forth b our next Office action to not ogram Examiner. THIS IS A ACED OF RECORD IN THE A	ify applicant of t N INFORMAL, IN	he T.D. If you disag ITERNAL MEMO ONI	ree LY.	
please	initial, dat	te and return t	his memo to me. THANK	YOU.				
マ	The T.D	). is PROPER a	nd has been recorded (s	ee 14.23).				
Γ	The T.D	. is NOT PROP	ER and has not been ac	cepted for the reason(s) che	ecked below (see	2 14.24):		
		The TD fee ouse of a dep	•	submitted nor is there any	authorization in	the application file	for the	
	Γ	The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).						
	Γ,	The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).						
	Γ	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).						
	Γ	The person	who signed the T.D.:					
		is r	not an attorney "of recor	d" (see 14.29 and 14.29.01	1).			
		has	s failed to state his/her	capacity to sign for the busi	ness entity (see	14.28).		
		is r	not recognized as an offi	cer of the assignee (see 14.	.29 & possible 1	4.29.02).		
	匚	No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).						
	Γ.	The T.D. is r	not signed (see 14.26 &	14.26.03).				
	Γ.	The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).						
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).						
	Π.	The period d	lisclalmed is incorrect or	not specified (see 14.26, 1	4.27.02 or 14.2	5.03).		
		Other:	,					
	Γ		to request refund (see 1 theck this item.	4.36). NOTE: If already aut	horized, credit r	efund to deposit acc	count	
have	appropriat	tely notified ap	pplicant(s) of the status	of the Terminal Disclaimer f	iled in this case.			
Ex.Initi	als:	Da	te:			Log Date:		

Application Number	Application/Control No.		Applicant(s)/Patent under Reexamination HIRSCH ET AL.					
Document Code - DISQ	Internal Doc		cument – DO NOT MAIL					
	•							
TERMINAL DISCLAIMER	⊠ APPROVI	ED	☐ DISAPPROVED					
Date Filed : May 22, 2008	This patent is subject to a Terminal Disclaimer							
Approved/Disapproved by:								
Henry D. Jefferson								

U.S. Patent and Trademark Office

PTO/SB/26 (01-08)
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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING	Docket Number (Optional)				
REJECTION OVER A "PRIOR" PATENT	US 028003				
In re Application of: Hirsch et al.					
Application No.: 10/080,156					
Filed: February 19, 2002					
For: COEXISTENCE OF MODULATION SCHEMES IN A WLAN					
The owner*, NXP B.V, of, of	prior patent is defined in 35 U.S.C. 154 where hereby agrees that any patent so whor patent are commonly owned. This				
In making the above disclaimer, the owner does not disclaim the terminal part of the term of any paten would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction;					
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or					
is in any manner terminated prior to the expiration of its full statutory term as presently shortened t	by any terminal disclaimer.				
Check either box 1 or 2 below, if appropriate.					
1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university etc.), the undersigned is empowered to act on behalf of the business/organization.	, government agency,				
I hereby declare that all statements made herein of my own knowledge are true and that a belief are believed to be true; and further that these statements were made with the knowledge that made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United statements may jeopardize the validity of the application or any patent issued thereon.	willful false statements and the like so				
2. The undersigned is an attorney or agent of record. Reg. No. 43,305					
Veter family.	22-MAY-2008				
<b>Sp</b> nature	Date .				
Peter Zawilski					
Typed or printed name					
	(100) 171 0000				
	(408) 474-9063 Telephone Number				
✓ Terminal disclaimer fee under 37 CFR 1.20(d) included.	•				
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be included on this form. Provide credit card information and authorization	on PTO-2038.				
*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.					

This collection of information is required by 37 CFR 1.321. The Information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.